

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

MICHAEL MADDING,
Plaintiff

v.

SOUTHWESTERN BELL
TELEPHONE COMPANY,
Defendant

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No. 1:23-CV-00417-DAE

ORDER

Before the Court is Defendant Southwestern Bell Telephone Company's Motion to Compel Discovery Responses from Plaintiff Michael Madding, Dkt. 16. The District Judge referred the motion to the undersigned for disposition. The Court set the motion for hearing, Dkt. 18, and after considering the arguments made at the hearing, along with the parties' filings and the applicable law, the Court announced its rulings, and the reasons for them, on the record. This written order memorializes those rulings.

The Court **GRANTS IN PART AND DENIES IN PART** Southwestern Bell's motion. With respect to the 4 remaining requests for production at issue:

RFP 16: The Court **GRANTS IN PART AND DENIES IN PART** the motion and **ORDERS** Plaintiff to produce, within 21 days of this order, responsive records not already produced, but limited to records of (1) treatment related Plaintiff's disability that underlies his discrimination claim, or (2) any mental-health treatment.

RFP 17: The Court **GRANTS IN PART AND DENIES IN PART** the motion and **ORDERS** Plaintiff to produce, within 21 days of this order, responsive records not already produced, but limited to the time period of July 1, 2016, to the present.

RFP 45: The Court **GRANTS IN PART AND DENIES IN PART** the motion and **ORDERS** Plaintiff to provide to Southwestern Bell's counsel, within 21 days of this order, a signed Authorization for Release of Protected Health Information, but limited to records for treatment from the time period of July 1, 2016, to the present.

RFP 46: The Court **GRANTS IN PART AND DENIES IN PART** the motion and **ORDERS** Plaintiff to provide to Southwestern Bell's counsel, within 21 days of this order, a signed Authorization for Release of Protected Health Information, but limited to records from the time period of July 1, 2016, to the present for (1) treatment related Plaintiff's disability that underlies his discrimination claim, or (2) any mental-health treatment not already covered by RFP 45.

Finally, the Court **DENIES** Southwestern Bell's request for attorneys' fees sought pursuant to Federal Rule of Civil Procedure 37(a)(5).

SIGNED February 20, 2024.



DUSTIN M. HOWELL
UNITED STATES MAGISTRATE JUDGE